

REMARKS

The Examiner has identified that the offered claim set in Applicants' Request For Continued Examination mailed August 17, 2005 does not correlate with Applicant's responses filed 12-17-04, 08-4-05¹, and 8-19-05². Because of the intervening Advisory Action and Notice of Non-Compliance, the Applicants' believe the last "on the record" claim set was filed on 12/17/04 consisting of new Claims 111-116.

The Applicants now provide to the Examiner a corrected "Amendments To The Claims" section (*supra*) that addresses the Examiner's concerns and correlates with the claim set filed on 12/17/04. Briefly, in the response filed on 12/17/04 the Applicants cancelled Claims 1-110 and added new claims 111-116. Subsequently, the Applicants' response filed 07/05/05 to the Final Office Action mailed March 3, 2005 resulted in several inadvertent errors to the claim set that were carried over to the Applicants' response filed on 08/19/05 (Preliminary Amendment & RCE) in response to the Advisory Action mailed August 4, 2005.

Specifically, in the response to the Final Office Action mailed March 3, 2005 the Applicants mistakenly omitted Claim 113³ and made a typographical error stating a dependency to Claim 118 instead of Claim 111. These errors resulted in improper dependent claim references and a complete misnumbering of the rest of the claim set, including new claims 117 – 124 as (re)identified above.

As a consequence of these errors, the Applicants request the Examiner note that the last sentence appearing on Page 8 Section B1 of the pending response should read:

Nevertheless, the Examiner is requested to note that the WAP and uroplakin promoters have been removed from Claim 111 and represented in new Claims 117-124.

¹ It appears the Examiner has mistakenly referred to the Advisory Action mailing date to which the Applicants response was filed 08/19/05. Applicants further believe the Examiner intended to reference Applicants' response to Final Office Action filed 07/05/05 (Not entered, due to issues requiring new search; see Advisory Action).


² Not entered, and subject of present Notice of Non-Compliance.

³ The Examiner is reminded that the Applicants discuss amending Claim 113 on page 17 Section C of the pending response.

CONCLUSION

The Applicants believe that the corrected claim set provide the proper correlation with the Applicants' last response on the record. The Applicants thank the Examiner for pointing out these discrepancies and, in light of the Applicants' responses to the Examiner's rejections, request that all grounds for rejection be withdrawn. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.984.0616.

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